

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>KATHERINE PAYNE ARTHUR COATES,</p> <p style="text-align: right;">Plaintiffs,</p> <p>individually and on behalf of other similarly situated</p> <p style="text-align: center;">v.</p> <p>MARRIOTT EMPLOYEES FEDERAL CREDIT UNION</p> <p style="text-align: right;">Defendant</p>	<p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;">NO. 2:18-cv-04009-WB</p>
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ORDER

Upon consideration of Plaintiffs' motion, by their attorney Robert P. Cocco, for the Special Admission of Out-Of-State Attorney Scott C. Borison *Pro Hac Vice* as additional counsel for the Plaintiffs in this matter, and any response thereto (if any), the Court does hereby ORDER that the motion be, and hereby is, GRANTED.

Mr. Borison's contact information should be entered as follows:

Scott C. Borison
Legg Law Firm, LLP
38 S. Paca St., #116, Suite B
Baltimore, MD 21201
Phone 301-620-1016
Fax 301-620-1018
borison@legglaw.com

Dated: _____

The Honorable Wendy Beetlestone
District Judge

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<div>KATHERINE PAYNE ARTHUR COATES, Plaintiffs, individually and on behalf of other similarly situated v. MARRIOTT EMPLOYEES FEDERAL CREDIT UNION Defendant</div>	<div>CIVIL ACTION NO. 2:18-cv-04009-WB</div>
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**MOTION FOR SPECIAL ADMISSION OF OUT-OF-STATE
ATTORNEY SCOTT C. BORISON *PRO HAC VICE***

Plaintiffs Katherine Payne and Arthur Coates, by their undersigned counsel Robert P. Cocco, hereby move for the special admission of out-of-state attorney Scott C. Borison *pro hac vice* to serve as additional counsel for the Plaintiffs in this matter. Plaintiffs and their counsel, pursuant to the Local Rules of the Court and Judge Beetlestone's Policies and Procedures, states as follows in support of the relief requested:

1. Scott C. Borison is currently admitted to practice law and in good standing (*i.e.*, currently authorized to practice as an attorney) in the following United States court(s) and/or state's highest court(s):

STATE BAR ADMISSIONS

1. District of Columbia 11/17/1994
2. Maryland 01/29/1996
3. California 05/28/2013

FEDERAL BAR ADMISSIONS

Court Of Appeals

1. 1st circuit 10/09/07

- | | |
|-----------------------------|----------|
| 2. 3rd Circuit | 11/17/03 |
| 3. 4th Circuit | 11/27/95 |
| 4. 9 th Circuit | 05/25/17 |
| 5. 10 th Circuit | 08/28/16 |
| 6. 11th circuit | 04/05/11 |

District Courts

- | | |
|----------------|----------|
| 1. D. MD | 07/15/94 |
| 2. D. DC | 07/7/97 |
| 3. D. C. D. CA | 06/19/13 |
| 4. D. E.D. CA | 09/10/13 |
| 5. D. N.D. CA | 01/23/15 |
| 6. D. E.D. MO | 10/11/13 |
| 7. D. E.D. TN | 12/19/13 |
| 8. D. N.D. FL. | 01/20/05 |
| 9. D. N.D. OH | 03/12/14 |

2. Scott C. Borison has never been disbarred or suspended from practice before any court, department, bureau or commission of any state or the United States. He has never received a reprimand or been subject to other disciplinary action from any such court, department, bureau or commission pertaining to conduct or fitness as a member of the bar.

3. Plaintiffs desire to have Scott C. Borison appear in this action as co-counsel with Robert P. Cocco, to represent them and the putative class members they seek to represent in this action. Plaintiffs feel that by engaging Scott C. Borison as additional counsel in this action on their individual behalf and on behalf of the putative class members they will be more adequately able to represent the interests of the absent class members as this litigation progresses as required by Fed. R. Civ.P. 23.

4. Scott C. Borison's qualifications are detailed in Exhibit 1 to this motion. In sum he is recognized for his work on behalf of consumers in individual and class litigation in state and federal courts and speaker to other attorneys nationwide engaging in the same practice areas related to debt collection and consumer protection claims.

WHEREFORE, the undersigned counsel respectfully requests that this Court enter an Order granting leave to Scott C. Borison to appear *pro hac vice* for purposes of this cause only on behalf of the Plaintiffs and the putative class members.

Dated: December 20, 2018

Respectfully submitted,

/s/Robert P. Cocco

Robert P. Cocco

Attorney for Plaintiffs

Pa. Ud. No. 61907

1500 Walnut Street, Suite 900

Philadelphia, PA 19102

(215) 351-0200

rcocco@rcn.com

CERTIFICATE OF SERVICE

I certify that on the 20th day of December 2018 a copy of the foregoing Motion for Special Admission of Out-of-State Attorney Scott C. Borison *Pro Hac Vice* and attached exhibit and proposed order was served on the Defendant's counsel when filed through the Court's CM/ECF system.

/s/Robert P. Cocco
Robert P. Cocco

Civil Action No# 2:18-cv-04009-WB

**APPLICATION FORM FOR THOSE ATTORNEYS SEEKING TO PRACTICE IN THIS COURT PURSUANT TO
LOCAL RULE OF CIVIL PROCEDURE 83.5.2(b)**

I. APPLICANT'S STATEMENT

I, Scott C. Borison the undersigned, am an attorney who is not currently admitted to either the bar of this court or the bar of the Supreme Court of Pennsylvania, and I hereby apply for admission to practice in this court pursuant to Local Rule of Civil Procedure 83.5.2(b), and am submitting a check, number _____, for the \$40.00 admission fee.

A. I state that I am currently admitted to practice in the following state jurisdictions:

<u>Maryland</u> (State where admitted)	<u>1/29/96</u> (Admission date)	<u>n/a</u> (Attorney Identification Number)
<u>District of Columbia</u> (State where admitted)	<u>11/17/94</u> (Admission date)	<u>443982</u> (Attorney Identification Number)
<u>California</u> (State where admitted)	<u>5/28/13</u> (Admission date)	<u>289456</u> (Attorney Identification Number)


B. I state that I am currently admitted to practice in the following federal jurisdictions:

<u>See attached</u> (Court where admitted)	<u> </u> (Admission date)	<u> </u> (Attorney Identification Number)
<u> </u> (Court where admitted)	<u> </u> (Admission date)	<u> </u> (Attorney Identification Number)
<u> </u> (Court where admitted)	<u> </u> (Admission date)	<u> </u> (Attorney Identification Number)

C. I state that I am at present a member of the aforesaid bars in good standing, and that I will demean myself as an attorney of this court uprightly and according to law, and that I will support and defend the Constitution of the United States.

I am entering my appearance for

Plaintiffs


(Applicant's Signature)

12/19/18
(Date)

APPLICANT'S FIRM NAME / ADDRESS / TELEPHONE NUMBER:

1900 S. Norfolk St. Suite 350, San Mateo CA 94403
301-620-1016, Fax 301-620-1018; e mail: Borison@legglaw.com

Sworn and subscribed before me this

____ Day of _____, 200__

Notary Public

DEC 19 2018

See attached
California Ack. or Jurat
New Notary Certificate

10/04

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of SAN MATEO

Subscribed and sworn to (or affirmed) before me on this 19
day of DECEMBER, 2018, by SCOTT C. BORISON

proved to me on the basis of satisfactory evidence to be the
person(\$) who appeared before me.



(Seal)

Signature

II. SPONSOR'S STATEMENT, MOTION AND CERTIFICATE OF SERVICE

The undersigned member of the bar of the United States District Court for the Eastern District of Pennsylvania hereby moves for the admission of Scott C. Borison to practice in said court pursuant to Local Rule of Civil Procedure 83.5.2(b), and certify that I know (or after reasonable inquiry believe) that the applicant is a member in good standing of the above-referenced state and federal courts and that the applicant's private and personal character is good. I certify that this application form was on this date mailed, with postage prepaid, to all interested counsel.

Robert Cocco

Sponsor's Name



Sponsor's Signature

11/24/93

Admission date

61907Attorney
Identification No.

SPONSOR'S OFFICE ADDRESS AND TELEPHONE NUMBER:

Robert P. Cocco PC. 1500 Walnut St. Suite 900, Philadelphia PA 19102Phone 215-351-0200, Fax 215-261-6055; E mail rcocco@ren.com

Commonwealth of Pennsylvania – Notary Seal
NANCY A VARGAS MAYNARD – Notary Public
Philadelphia County
My Commission Expires May 19, 2019
Commission Number 1262609

Sworn and subscribed before me this

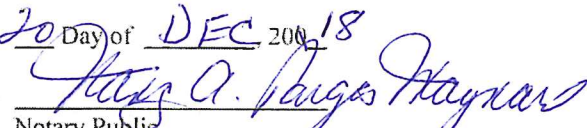
20 Day of DEC 2018

Notary Public

EXHIBIT 1 - STATEMENT OF SCOTT C. BORISON

My practice includes representing consumers. I have represented consumers in individual and class cases involving federal and state consumer protection laws. I have been lead counsel in trials of class cases, including one that resulted in a multimillion dollar verdict for the class members.

Class Counsel Appointments:

FEDERAL:

a. *Anderson v. GMAC Mortgage Corporation*, Case No. AMD 00 CV 3364, U.S. District Court for the District of Maryland – involving claims under the Truth in Lending Act, Home Ownership and Equity Protection Act and State Lending Laws.

b. *Knott v. FT Mortgage Companies*, 99-1402 DK, U.S. Bankruptcy Court for the District of Maryland – involving claims under State lending laws.

c. *Fogarty Fultz v. Chase Manhattan Mortgage Corporation*, 99-1367 PM, U.S. Bankruptcy Court for the District of Maryland - involving claims under State lending laws.

d. *Hyde v. RDA, Inc.*, 05-317-RDB, U.S. District Court for the District of Maryland (in connection with FCRA settlement class).

e. *Curry v. Fairbanks Capital Corporation*, 03-10875-DPW (D. Mass.) (\$55,000,000 settlement of nationwide class action based on predatory loan servicing practices)(co-counsel).

f. *Gaddis v. Vincent Abell, et al.*, 05-1762 PM, U.S. Bankruptcy Court for the District of Maryland – involving claims under bankruptcy laws relating to foreclosure fraud.

- g. *Winston v. Regional Title & Escrow LLC.*, 08-2633 RWT, United States District Court for the District of Maryland;
- h. *Proctor, et al, v. Metropolitan Money Store Incorporated*, 07-1957 RWT, United States District Court for the District of Maryland;
- i. *Miller v. Prestige Financial Services, Inc.*, 09-1671 BEL, United States District Court for the District of Maryland.
- j. *Johnson v. Midland Funding, LLC.*, 09-2391-ELH, United States District Court for the District of Maryland.
- k. *Bradshaw v. Hilco Receivables, LLC.*, 10-0113- RDB, United States District Court for the District of Maryland.
- l. *Veiga, et al., v. Suntrust Bank*, 09-2815-PWG, United States District Court for the District of Maryland.
- m. *Muga, et al., v. BB & T*, 10-890-PWG, United States District Court for the District of Maryland.
- n. *Hauk, et al., v. LVNV Funding LLC.*, 1:09-cv-03238-CCB, United States District Court for the District of Maryland
- o. *Tyeryar v. Main Street Acquisition Corp., CIV.A*, 11-250-CCB United States District Court for the District of Maryland
- p. *Gardner v. MCTFCU*, 10-cv-2781-BPG, United States District Court for the District of Maryland.
- q. *Stone v. Wayric*, 10-00484-BPG, United States District Court for the District of Maryland.
- r. *Castillo v. Nagle & Zaller, PC.*, 12-02338-WDQ, United States District Court for the District of Maryland.

s. *Driscoll v. Navy Federal Credit Union*, 13-00137-BPG, United States District Court for the District of Maryland.

t. *Allred v. Recontrust*, 2:13-cv-01124-BSJ, United States District Court for the District of Utah.

STATE:

Maryland

a. *Heist v. Chase Manhattan Mortgage* - involving claims under State lending laws.

b. *Shorb v. Draper & Goldberg, PLLC.*, - involving claims under state and federal consumer protection laws.

c. *Bain v. Second Waverly Limited Partnership* – involving claims under landlord tenant laws.

d. *Lavelle v. Americredit* – involving claims under State lending laws.

e. *Cole v. Tidewater Financial* - involving claims under State lending laws.

f. *Finch v. LVNV Funding, LLC.* – involving claims under state consumer protection laws.

g. *Jason v. National Loan Recovery* - involving claims under state consumer protection laws.

h. *Claiborne v. Maryland Management Company* - involving claims under state consumer protection laws.

Wisconsin

a. *Moya v. Aurora Health Care, Inc.* – involving overcharges to consumer for copies of medical records.

- b. *Harwood v. Wheaton Franciscan Services, Inc.*, – involving overcharges to consumer for copies of medical records.

PRESENTATIONS

I have been a presenter for various continuing legal education programs which include:

“Consumer Finance Litigation” sponsored by the Maryland Institute for Continuing Professional Education of Lawyers, Inc. (“MICPEL”)

“Litigating Adversary Proceedings” sponsored by the Bankruptcy Bar Association of the District of Maryland

“Consumer Mortgage Litigation and the Ethical Considerations of Overcharging Consumers” sponsored by CAPE

“Mortgage Lending Abuses” before the National Association of Consumer Bankruptcy Attorneys

“Bankruptcy: Hot Topics for the Business or General Practice Lawyer” sponsored by the Montgomery County Maryland Bar Foundation.

“Bankruptcy Issues for the Elderly” before the Annual National Aging and Law Conference

“Multiple Plaintiff Actions” at the 2004 National Consumer Law Conference presented by the National Consumer Law Center.

“Telephone Consumer Protection Act” at the 2004 National Consumer Law Conference presented by the National Consumer Law Center.

“Foreclosure Mills: Attacking their Fees” at the 2005 National Consumer Law Conference presented by the National Consumer Law Center.

“Class Action Fairness Act” at the 2005 Class Action Symposium sponsored by the National Consumer Law Center

“Consumer Law in Maryland” sponsored by the Maryland Institute for Continuing Professional Education of Lawyers, Inc. (“MICPEL”), Maryland

REPORTED CASES:

Cain v. Midland, 156 A.3d 807, 817, 452 Md. 141, 158 (Md., 2017)

Jason v. National Loan Recoveries LLC, 227 Md. App. 516 (2016)

Old Republic Ins. Co. v. Gordon, 228 Md.App. 1 (2016)

Martino v. American Airlines Federal Credit Union, 121 F.Supp.3d 277 (D.Mass., 2015)

Finch v. LVNV Funding, LLC 212 Md.App. 748, 71 A.3d 193 (Md.App.,2013)

Franklin Credit Management Corp. v. Nefflen, 208 Md.App. 712, 57 A.3d 1015 (Md.App.,2012)

Epps v. JP Morgan Chase Bank, N.A. 675 F.3d 315 (4th Cir. 2012)

Gardner v. Montgomery County Teachers Federal Credit Union 2012 WL 1994602 (D.Md.,2012)

In re Checking Account Overdraft Litigation MDL No. 2036, 674 F.3d 1252 (11th Cir. 2012)

Ford Motor Credit Co., LLC v. Roberson, 420 Md. 649, 25 A.3d 110 (Md.,2011)

Bradshaw v. Hilco Receivables, LLC, 765 F. Supp. 2d.719 (D.Md. 2011)

Hauk v. LVNV Funding, LLC, 749 F.Supp.2d 358 (D.Md.,2010)

In re Community Bank of Northern Virginia, 622 F.3d 275 (3rd Cir. 2010)

Poku v. F.D.I.C. 752 F.Supp.2d 23 (D.D.C.,2010)

Bradshaw v. Hilco Receivables, LLC 725 F.Supp.2d 532 (D.Md.,2010)

Proctor v. Metropolitan Money Store Corp., 645 F.Supp.2d 464 (D.Md.,2009)

Griffin v. Bierman, 403 Md. 186, 941 A.2d 475, (Md. 2008)

Poku v. Friedman, 403 Md. 47, 939 A.2d 185, (Md. 2008)

Sullivan v. Greenwood Credit Union, 520 F.3d 70 (1st Cir. 2008)

Chambers v. Cardinal, 177 Md.App. 418, 935 A.2d 502, (Md.App. 2007)

Wells Fargo Home Mortg., Inc. v. Neal, 398 Md. 705, 922 A.2d 538, (Md. 2007)

Neal v. Wells Fargo Home Mortg., Inc., 168 Md.App. 747, 899 A.2d 208, (Md.App. 2006)

In re Cmty. Bank of N. Va. & Guar. Nat'l Bank of Tallahassee Second Mortg. Loan Litig., 418 F.3d 277 (3d Cir. 2005)

Hyde v. RDA, Inc., 389 F.Supp.2d 658, (D.Md. 2005)

Thomas v. GMAC Residential Funding Corp., 309 B.R. 453 (D. Md. 2004)

McKenzie v. Ocwen Fed. Bank FSB, 306 F. Supp. 2d 543 (D. Md. 2004)

In re Brown, 300 B.R. 871 (D.Md., 2003)

Ray v. Citifinancial, Inc. 228 F. Supp. 664, 665 (D.Md. 2002)

Staley v. Americorp, 164 F.Supp.2d 578, 584 (D. Md. 2001)

Secure Financial Service, Inc. v. Popular Leasing USA, Inc., 391 Md. 274, 892 A.2d 571, (Md. 2005)

Sweeney v. Savings First Mortg., LLC, 388 Md. 319, 879 A.2d 1037, (Md. 2005)

Levitt v. Fairfield Resorts, Inc., 383 Md. 209, 857 A.2d 1128, (Md. 2004)

Thrasher v. Homecomings Financial Network, Inc., 154 Md.App. 77, 838 A.2d 392, (Md.App. 2003)

Drew v. First Guar. Mortg. Corp., 379 Md. 318, 842 A.2d 1, (Md. 2003)